

ATTORNEY'S DOCKET NO: C1037/7017 (HCL/MAT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Deanna M. Petersen and Robert L. Bratzler
Serial No: 09/800,266
Filed: March 5, 2001
For: IMMUNOSTIMULATORY NUCLEIC ACIDS AND CANCER
MEDICAMENT COMBINATION THERAPY FOR THE TREATMENT
OF CANCER
Examiner: Not yet assigned
Art Unit: 1614

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Box Sequence, the Commissioner of Patents and Trademarks, Washington, D.C. 20231, on the 30th day of May, 2001.

Maria A. Trevisan

Commissioner for Patents
Washington, D.C. 20231
BOX SEQUENCE

TRANSMITTAL

Sir:

Transmitted herewith are the following documents:

- [x] Copy of Raw Sequence Listing Error Report
- [x] Response to Raw Sequence Listing Error Report
- [x] Copy of the corrected "Sequence Listing" in computer readable form
- [x] Paper hard copy form of the corrected "Sequence Listing"
- [x] Statement Pursuant to 37 CFR 1.821(f).
- [x] Return Receipt Postcard

No fee is required. If any fee is determined to be due by the Examiner, the Examiner is authorized to charged the appropriate fee to the account of the undersigned, Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,

Maria A. Trevisan (Reg. No. P-48,207)
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210
Tel.: 617-720-3500

Attorney's Docket No.: C1037/7017
Date: May 30, 2001
X07/10/01



0590 JCWS

Section 1

ATTORNEY'S DOCKET NO: C1037/7017 (HCL/MAT)
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Maria A. Trevisan

Commissioner for Patents
Washington, D.C. 20231
Box Missing Parts

TRANSMITTAL

Transmitted herewith are the following documents:

- ☒ **Response to Notice to File Missing Parts**
- ☒ **Copy of Notice to File Missing Parts**
- ☒ **Executed Declaration of Robert L. Bratzler and Deanna M. Petersen**
- ☒ **Preliminary Amendment**
- ☒ **Fee Calculation Sheet**
- ☒ **Check for \$1,000.00**
- ☒ **Return Receipt Postcard**

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 720-3500, Boston, Massachusetts

A check for \$1,000.00 is enclosed. If any further fee is determined to be due the Examiner is authorized to charged said fee to the account of the undersigned, Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,

By:

Maria A. Trevisan (Reg. No. P-48,207)
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, MA 02210
Telephone (617) 720-3500

Docket No. C1037/7017 (HCL/MAT)

Dated: May 30, 2001

x07/10/01

537335



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/800,266	03/05/2001	Robert L. Bratzler	C1037/7017HCL/MAT

CONFIRMATION NO. 3753

FORMALITIES LETTER



OC000000006063419

23628

WOLF GREENFIELD & SACKS, PC
FEDERAL RESERVE PLAZA
600 ATLANTIC AVENUE
BOSTON, MA 02210-2211

Date Mailed: 05/10/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$528. 06/05/2001 JADD01 00000014 09800266

■ \$288 for 16 total claims over 20.	01 FC:101	710.00 OP
■ \$240 for 3 independent claims over 3 .	02 FC:102	160.00 OP
	03 FC:105	130.00 OP
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1368.**
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:



- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



ATTORNEY'S DOCKET NO: C1037/7017 (HCL/MAT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Deanna M. Petersen and Robert L. Bratzler
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OF CANCER
Examiner: Not yet assigned
Art Unit: 1614

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Maria A. Trevisan

Commissioner for Patents
Washington, D.C. 20231
Box Missing Parts

RESPONSE TO NOTICE TO FILE MISSING PARTS

Sir:

This is in response to the Notice to File Missing Parts of application mailed from the United States Patent and Trademark Office on May 10, 2001.

Attached is a Declaration and Power of Attorney executed by Robert L. Bratzler and Deanna M. Petersen.

Also attached is a Preliminary Amendment, Fee Calculation Sheet and a check in the amount of \$1,000.00 to cover the cost of the filing fees and the surcharge for filing a late Declaration and Power of Attorney.

Accordingly, Applicants believe that this document is responsive to the Notice to File Missing Parts.

If any other information is needed, please contact the undersigned attorney by phone (617-720-3500, ext. 266) to expedite the further prosecution of this patent application. If the enclosed fees are not sufficient, the balance may be charged to our Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,

By:

Maria A. Trevisan (Reg. No.: P-48,207)
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, MA 02210
Telephone (617) 720-3500

Docket No. C1037/7017 (HCL/MAT)
Dated: May 30, 2001
x07/10/01

537335



Inventor(s): Deanna M. Petersen and Robert L. Bratzler

Serial No: 09/800,266

Filed: March 5, 2001

CHECK BOX, if applicable:

For: IMMUNOSTIMULATORY NUCLEIC ACIDS AND CANCER
 MEDICAMENT COMBINATION THERAPY FOR THE TREATMENT OF
 CANCER

☐ **DUPLICATE****Fee Calculation Sheet**

CLAIMS	FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEE
	TOTAL CLAIMS (37 CFR 1.16(c))	20-20=	0x	\$ 18	= \$ 0.00
	INDEPENDENT CLAIMS (37 CFR 1.16(b))	5-3=	2 x	\$ 80	= \$ 160.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d)) +			\$	= \$
				BASIC FEE (37 CFR 1.16(a))	\$ 710.00
	Fee for Petition for Extension of Time (if any)				\$
	Total of above Calculations =				\$ 870.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28).				\$
	Assignment Recordation Fee (if any)				\$
	Other Fees (if any).				\$ 130.00
	TOTAL =				\$ 1,000.00

1. A check in the amount of \$1,000.00 is enclosed.

General Authorization to Charge Deposit Account and General Request for Extension of Time

2. a. ☒ If the filing of any paper in this application necessitates the payment of a fee under 37 CFR §§ ☒ 1.16 ☒ 1.17 or ☐ 1.18, and the fee due is in an amount different from any enclosed check or if no check is enclosed, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 23/2825.
- b. ☐ The applicant hereby revokes any prior authorization to charge a fee due under 37 CFR §§ ☐ 1.16 ☐ 1.17 or ☐ 1.18.
3. If the filing of any paper in this application necessitates an extension of time under 37 CFR § 1.136(a), the applicant hereby requests such extension of time. If the fee due is in an amount different from any enclosed check or if no check is enclosed, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 23/2825.

Maria A. Trevisan, Reg. No. P-48,207
 Wolf, Greenfield & Sacks, P.C.
 600 Atlantic Avenue
 Boston, MA 02210-2211
 (617) 720-3500
 Attorneys of Record

Docket No. C1037/7017 (HCL/MAT)

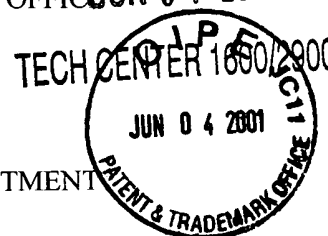
Date:

May 30, 2001

RECEIVED

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Maria A. Trevisan

BOX SEQUENCE

Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO RAW SEQUENCE LISTING ERROR REPORT

This is in response to the Raw Sequence Listing Error Report (copy enclosed) issued in the above-identified application. Applicants have corrected the Sequence Listing to recite fields <220> and <223> in accordance with 37 CFR 1.823(b) which states that these fields are mandatory if ORGANISM is "Artificial Sequence". 37 CFR 1.823(b) indicates that fields <221> and <222> are not mandatory in this situation.

Attached is a copy of the corrected "Sequence Listing" in computer readable form.

Attached is a paper hard copy form of the corrected "Sequence Listing."

Attached is a Statement Pursuant to 37 CFR 1.821(f).

Accordingly, Applicant believes that this document is responsive to the Raw Sequence Listing Error Report.

If any other information is needed, please contact the undersigned attorney by phone (617-720-3500, Ext. 266) to expedite the further prosecution of this patent application.

Respectfully submitted,

WOLF, GREENFIELD & SACKS, P.C.

By

Maria A. Trevisan (Reg. No. P-48-207)
WOLF, GREENFIELD & SACKS, P.C.
600 Atlantic Avenue
Boston, MA 02210-2211
Attorneys for Applicant(s)
Tel. no. (617) 720-3500

Attorney's Docket No.: C1037/7017

Date:

X07/10/01

537353

May 30 2001